

3818.02-5

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PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of )  
ALAN BRUCE MONTGOMERY, ET AL. ) Group Art Unit: 1616  
Serial No.: 10/613,639 ) Examiner: HAGHIGHATIAN, MINA  
Filed: JULY 3, 2003 )  
)

For: INHALABLE AZTREONAM LYSINATE  
FORMULATION FOR TREATMENT AND  
PREVENTION OF PULMONARY BACTERIAL INFECTIONS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231 on October 25, 2004.

  
Melinda Tompkins

AMENDMENT, REQUEST AND FEE TO ADD NAMES OF  
INVENTORS OF INVENTION ORIGINALLY DISCLOSED  
AND NOW BEING CLAIMED (37 C.F.R. 148(C))  
NON-PROVISIONAL APPLICATION

1. This Amendment and Request under 37 C.F.R. § 1.48(c) is to add the names of the following persons as inventors who are the inventors of the invention now being claimed:

Manfred Keller

Frank-Christophe Lintz

2. The claims in this application are as follows:

Originally filed claims 1-20.

10/29/2004 HVUONG1 00000006 10613636

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130.00 0P

3. Statement From Each Person Being Added As Inventor (37 C.F.R. §1.48(c)(1)):

Attached is a statement from each person being added as an inventor that the inventorship error occurred without deceptive intent on his or her part.

4. Declaration (37 C.F.R. §1.48(c)(2)).

Attached is a declaration by the actual inventors as required by §1.63 (or as permitted by §§ 1.42, 1.43 or 1.47).

5. Assent of Assignee of Any Originally Named Inventors (37 C.F.R. § 1.48(c)(4)).

Attached is the written consent of the assignee of the originally named inventor.

6. Fee (37 C.F.R. §1.17(i)).

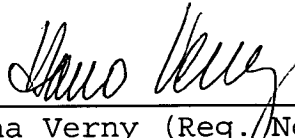
The fee required is paid as follows:

Enclosed is a check for \$130.00.

Charge Deposit Account 16-1331 for any fee deficiency.

Respectfully submitted,

Date: October 25, 2004

  
\_\_\_\_\_  
Hana Verna (Reg. No. 30,518)  
Attorney of Record

PETERS, VERNY, JONES & SCHMITT, L.L.P.  
425 Sherman Avenue, Suite 230  
Palo Alto, CA 94306  
TEL 650 324 1677 / FAX 650 324 1678  
Atty. Dkt.: 3818.02-5 (HV)

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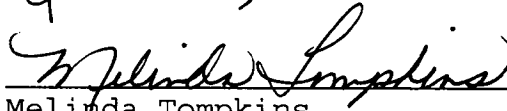
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CONSENT OF ASSIGNEE TO CHANGE  
OF INVENTORSHIP IN THE PATENT APPLICATION  
UNDER 37 C.F.R. §3.73(b)

Corus Pharma, Inc., owner by assignment of the above patent application, in the Assignment recorded in the Patent Office on November 10, 2003 at Reel 014674 and Frame 0290, hereby consents to the amendment of inventorship of this patent application as requested in the accompanying papers.

Dated:

14 Sept. 2004

  
Signature  
Title: VP Finance CFU  
Corus Pharma, Inc. Donald Section

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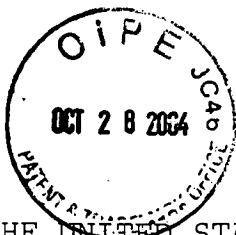
STATEMENT

I, ALAN BRUCE MONTGOMERY, hereby state that the omission of Manfred Keller's and Frank-Christophe Lintz's names as co-inventors and the error in inventorship happened without any deceptive intent on my, or anybody else's part, and that until now I believed myself to be properly named as sole inventor. When the error in inventorship was discovered, my co-inventors, Corus Pharma, Inc., the assignee of the invention and our patent attorney immediately took all necessary steps to correct this error.

Dated:

Sep 14, 2004

  
ALAN BRUCE MONTGOMERY

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Melinda Tompkins

STATEMENT

I, MANFRED KELLER, hereby state that the omission of my and Frank-Christophe Lintz's names as co-inventors and the error in inventorship happened without any deceptive intent on my, or anybody else's part, and that until now I did not know that this error in inventorship occurred. When the error in inventorship was discovered, my co-inventors, Corus Pharma, Inc., the assignee of the invention and our patent attorney immediately took all necessary steps to correct this error.

Dated:

Sept. 17, 2004

  
MANFRED KELLER



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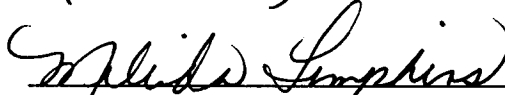
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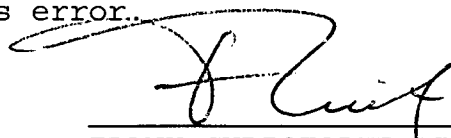
  
Melinda Tompkins

STATEMENT

I, FRANK-CHRISTOPHE LINTZ, hereby state that the omission of my and Manfred Keller's names as co-inventors and the error in inventorship happened without any deceptive intent on my, or anybody else's part, and that until now I did not know that this error in inventorship occurred. When the error in inventorship was discovered, my co-inventors, Corus Pharma, Inc., the assignee of the invention and our patent attorney immediately took all necessary steps to correct this error.

Dated:

Sep. 10<sup>th</sup> 2004

  
FRANK-CHRISTOPHE LINTZ